IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1053 OF 2006
IN
CRIMINAL APPEAL NO. 487 OF 2006

Ramchandra S. Yadav ..Applicant
(Ori.Accused No. 8)

versus

State of Maharashtra ..Respondents

WITH

CRIMINAL APPLICATION NO. 429 OF 2007
IN
CRIMINAL APPEAL NO. 496 OF 2006

Sunil S. Khetle ..Applicant
(Ori.Accused No.1)

versus

State of Maharashtra ..Respondents

Mr. K.S. Patil for the Applicants - Original Accused Nos. 8 and 1.

Ms. R. M. Gadhvi, APP for the Respondents - State.

CORAM : D. G. DESHPANDE, &
SMT. NISHITA MHATRE, JJ.

DATE : 30TH APRIL, 2007.

P.C.

1. Heard.

2. Both these applications are filed by the accused Nos. 8 and 1 respectively. They have been convicted for offence under Section 302 r/w 34 of IPC. The allegations are that there was a scuffle between two groups of Shiv Sena Members in which the victim received two injuries only, one of them being allegedly by sword.

3. The bail application of accused No.8 i.e. Application No. 1053 of 2006 is opposed by the learned APP and as per the affidavit the main ground is that if the accused No. 8 is released on bail, there will be danger to the life of witnesses. In other bail application of accused No.1 i.e. Application No. 429 of 2007, no such reply is filed. Case against each of the applicants - accused is of inflicting one single injury to the victim and looking to the apprehension, the counsel for both the applicants state that conditions can be imposed on the applicants not to enter the area of Thane City and they can stay in New Bombay, Vashi.

4. In view of this statement, both the applicants - i.e. original accused Nos. 8 and 1,

be released on their P.R bond of Rs.15,000/- (Rupees Fifteen Thousand) each with one or two solvent sureties, each, in the like amount. They will not enter the area of Thane City. They will give their addresses of New Bombay, Vashi, wherein they are going to stay after they are released on bail. They will attend Vashi Police Station once in a fortnight for a period of six months and thereafter once in two months. Fine, if any, to be paid by both the applicants before they are released on bail. Their substantive sentence is suspended pending Appeals. Both the applications are disposed of.

(SMT. NISHITA MHATRE, J.) **(D.G. DESHPANDE, J.)**